

House Amendment to
Senate File 567

S-3163

1 Amend Senate File 567, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, by striking lines 3 through 9 and inserting:

4 <NEW PARAGRAPH. e. Grant an exception for a person
5 who would otherwise be denied a license due to a criminal
6 conviction under specified circumstances. When considering
7 such an exception, the board shall consider the following: the
8 nature and seriousness of any offense of which the person was
9 convicted, all circumstances relative to the offense, including
10 mitigating circumstances or social conditions surrounding the
11 commission of the offense, the age of the person at the time
12 the offense was committed, the length of time that has elapsed
13 since the offense was committed, letters of reference, and all
14 other relevant evidence of rehabilitation and present fitness
15 presented. A person holding a license prior to July 1, 2019,
16 shall not be required to obtain an exception to maintain a
17 license.>

18 2. Page 1, by striking lines 12 through 15 and inserting:

19 <NEW SUBSECTION. 3. Conviction of a crime in Iowa that is
20 sexual abuse in violation of 709.4, a sexually violent offense
21 as defined in section 229A.2, the offense of dependent adult
22 abuse in violation of section 235B.20, a forcible felony as
23 defined in section 702.11, or the offense of domestic abuse
24 assault in violation of section 708.2A, shall be grounds for
25 denial, revocation, or suspension of a license. Conviction for
26 any other felony shall not be grounds for denial, revocation,
27 or suspension. A conviction of a crime in violation of
28 federal law or in violation of the law of another state shall
29 be given the same effect as it would if such conviction had
30 been under Iowa law. If federal law or the laws of another
31 state do not provide for offenses or violations denominated
32 or described in precisely the same words as Iowa law, the
33 department shall determine whether those offenses or violations
34 are substantially similar in nature to Iowa law and apply those
35 offenses or violations accordingly.>

1 3. Page 1, by striking lines 18 through 21 and inserting:
2 <NEW SUBSECTION. 6. Conviction of a crime in Iowa that is
3 sexual abuse in violation of section 709.4, a sexually violent
4 offense as defined in section 229A.2, the offense of dependent
5 adult abuse in violation of section 235B.20, a forcible felony
6 as defined in section 702.11, or the offense of domestic abuse
7 assault in violation of section 708.2A, shall be grounds for
8 denial, revocation, or suspension of a license. Conviction for
9 any other felony shall not be grounds for denial, revocation,
10 or suspension. A conviction of a crime in violation of
11 federal law or in violation of the law of another state shall
12 be given the same effect as it would if such conviction had
13 been under Iowa law. If federal law or the laws of another
14 state do not provide for offenses or violations denominated
15 or described in precisely the same words as Iowa law, the
16 department shall determine whether those offenses or violations
17 are substantially similar in nature to Iowa law and apply those
18 offenses or violations accordingly.>

19 4. Page 1, by striking lines 24 through 27 and inserting:
20 <NEW SUBSECTION. 6. Conviction of a crime in Iowa that is
21 sexual abuse in violation of section 709.4, a sexually violent
22 offense as defined in section 229A.2, the offense of dependent
23 adult abuse in violation of section 235B.20, a forcible felony
24 as defined in section 702.11, or the offense of domestic abuse
25 assault in violation of section 708.2A, shall be grounds for
26 denial, revocation, or suspension of a license. Conviction for
27 any other felony shall not be grounds for denial, revocation,
28 or suspension. A conviction of a crime in violation of
29 federal law or in violation of the law of another state shall
30 be given the same effect as it would if such conviction had
31 been under Iowa law. If federal law or the laws of another
32 state do not provide for offenses or violations denominated
33 or described in precisely the same words as Iowa law, the
34 department shall determine whether those offenses or violations
35 are substantially similar in nature to Iowa law and apply those

1 offenses or violations accordingly.>

2 5. Page 1, by striking lines 30 through 33 and inserting:

3 <NEW SUBSECTION. 4. Conviction of a crime in Iowa that is
4 sexual abuse in violation of section 709.4, a sexually violent
5 offense as defined in section 229A.2, the offense of dependent
6 adult abuse in violation of section 235B.20, a forcible felony
7 as defined in 702.11, or the offense of domestic abuse assault
8 in violation of section 708.2A, shall be grounds for denial,
9 revocation, or suspension of a license. Conviction for any
10 other felony shall not be grounds for denial, revocation, or
11 suspension. A conviction of a crime in violation of federal
12 law or in violation of the law of another state shall be given
13 the same effect as it would if such conviction had been under
14 Iowa law. If federal law or the laws of another state do not
15 provide for offenses or violations denominated or described
16 in precisely the same words as Iowa law, the department
17 shall determine whether those offenses or violations are
18 substantially similar in nature to Iowa law and apply those
19 offenses or violations accordingly.>

20 6. Page 2, by striking lines 1 through 4 and inserting:

21 <NEW SUBSECTION. 4. Conviction of a crime in Iowa that is
22 sexual abuse in violation of section 709.4, a sexually violent
23 offense as defined in section 229A.2, the offense of dependent
24 adult abuse in violation of section 235B.20, a forcible felony
25 as defined in section 702.11, or the offense of domestic abuse
26 assault in violation of section 708.2A, shall be grounds for
27 denial, revocation, or suspension of a license. Conviction for
28 any other felony shall not be grounds for denial, revocation,
29 or suspension. A conviction of a crime in violation of
30 federal law or in violation of the law of another state shall
31 be given the same effect as it would if such conviction had
32 been under Iowa law. If federal law or the laws of another
33 state do not provide for offenses or violations denominated
34 or described in precisely the same words as Iowa law, the
35 department shall determine whether those offenses or violations

1 are substantially similar in nature to Iowa law and apply those
2 offenses or violations accordingly.>

3 7. Page 2, by striking lines 7 through 10 and inserting:

4 <NEW SUBSECTION. 7. Conviction of a crime in Iowa that is
5 sexual abuse in violation of section 709.4, a sexually violent
6 offense as defined in section 229A.2, the offense of dependent
7 adult abuse in violation of section 235B.20, a forcible felony
8 as defined in section 702.11, or the offense of domestic abuse
9 assault in violation of section 708.2A, shall be grounds for
10 denial, revocation, or suspension of a license. Conviction for
11 any other felony shall not be grounds for denial, revocation,
12 or suspension. A conviction of a crime in violation of
13 federal law or in violation of the law of another state shall
14 be given the same effect as it would if such conviction had
15 been under Iowa law. If federal law or the laws of another
16 state do not provide for offenses or violations denominated
17 or described in precisely the same words as Iowa law, the
18 department shall determine whether those offenses or violations
19 are substantially similar in nature to Iowa law and apply those
20 offenses or violations accordingly.>

21 8. Page 2, by striking lines 15 through 22 and inserting:

22 <NEW SUBSECTION. 5. The board may grant an exception
23 for a person who would otherwise be denied a license due to
24 a criminal conviction under specified circumstances. When
25 considering such an exception, the board shall consider the
26 following: the nature and seriousness of any offense of
27 which the person was convicted, all circumstances relative
28 to the offense, including mitigating circumstances or social
29 conditions surrounding the commission of the offense, the age
30 of the person at the time the offense was committed, the length
31 of time that has elapsed since the offense was committed,
32 letters of reference, and all other relevant evidence of
33 rehabilitation and present fitness presented. A person holding
34 a license prior to July 1, 2019, shall not be required to
35 obtain an exception to maintain a license.>

1 9. By striking page 2, line 31, through page 3, line 6, and
2 inserting:

3 <Sec. _____. Section 105.22, subsection 4, Code 2019, is
4 amended by striking the subsection and inserting in lieu
5 thereof the following:

6 4. Conviction of a crime in Iowa that is sexual abuse in
7 violation of section 709.4, a sexually violent offense as
8 defined in section 229A.2, the offense of dependent adult abuse
9 in violation of section 235B.20, a forcible felony as defined
10 in section 702.11, or the offense of domestic abuse assault
11 in violation of section 708.2A, shall be grounds for denial,
12 revocation, or suspension of a license. Conviction for any
13 other felony shall not be grounds for denial, revocation, or
14 suspension. A conviction of a crime in violation of federal
15 law or in violation of the law of another state shall be given
16 the same effect as it would if such conviction had been under
17 Iowa law. If federal law or the laws of another state do not
18 provide for offenses or violations denominated or described
19 in precisely the same words as Iowa law, the department
20 shall determine whether those offenses or violations are
21 substantially similar in nature to Iowa law and apply those
22 offenses or violations accordingly. A copy of the record of
23 conviction or plea of guilty shall be conclusive evidence of
24 such conviction.>

25 10. Page 3, before line 7 by inserting:

26 <Sec. _____. Section 158.3, Code 2019, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 3. Notwithstanding the provisions of
29 subsection 1, any person who completes the application
30 form prescribed by the board and who completes a barbering
31 apprenticeship training program registered by the office of
32 apprenticeship of the United States department of labor while
33 committed to the custody of the director of the Iowa department
34 of corrections shall be allowed to take the examination for a
35 license to practice barbering.>

- 1 11. Title page, line 3, by striking <felonies> and inserting
- 2 <crimes>
- 3 12. By renumbering as necessary.